

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

REGINALD BELL, SR.,)
) CASE NO. C10-0376-MJP-MAT
Plaintiff,)
)
v.) ORDER TO SHOW CAUSE
)
STATE OF WASHINGTON, et al.)
)
Defendants.)
_____)

The Honorable Marsha J. Pechman adopted the undersigned magistrate judge's Report and Recommendation and ordered plaintiff to file an amended complaint by November 6, 2010. (Dkt. 18.) To this date, plaintiff has failed to do so.¹ **The Court therefore ORDERS plaintiff to show cause by December 20, 2010, why this matter should not be dismissed without prejudice for failure to comply with a court order and for failure to prosecute.** Should plaintiff choose to file an amended complaint in lieu of a response, that amended complaint must be filed under the same case number as this one, and will operate as a complete

¹ Several weeks before the order adopting the Report and Recommendation, plaintiff filed an amended complaint that did not address the noted deficiencies. (Dkt. 16.) Plaintiff is not relieved of his duty to file an amended complaint because he has chosen to appeal the dismissal of certain defendants.

01 substitute for, rather than a mere supplement to, the present complaint. *See Ferdik v. Bonzelet*,
02 963 F.2d 1258, 1262 (9th Cir. 1992). The Clerk is directed to send copies of this Order to
03 plaintiff and to the Honorable Marsha J. Pechman.

04 DATED this 17th day of November, 2010.

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07 Mary Alice Theiler
08 United States Magistrate Judge
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